



Raleigh City Council Special Committee to Review Banners

Date: Wednesday, November 16, 2016 at 4:30 p.m.

Location: Raleigh Municipal Building
222 W. Hargett Street
Room 305
Raleigh, North Carolina

For information call 919-996-2626

Agenda

The following item will be discussed during the meeting:

The City Council appointed a special committee to review the policies related to banners attached to utility poles. The City Council has adopted a number of resolutions to permit banners in defined areas. This special committee will discuss potential revisions to the policies. This is the result of a petition of citizens submitted to the City Council.

Pending items not scheduled for discussion at this meeting:

N/A



City of Raleigh *North Carolina*

To: Mary Ann Baldwin, Chairperson
Members of the Special Banner Committee

From: Travis R. Crane, Assistant Planning Director

Date: November 10, 2016

Re: Pole Banners

The special pole banner committee of the City Council last met on October 20, 2016. At this meeting, the Committee discussed the impacts of expanding the allowance for banners on utility poles within the right-of-way. Staff asked a series of clarifying questions and the committee provided feedback in response to the conversation. This memorandum provides some background information on the request and offers some considerations.

Pole banners are typically attached to utility poles within the right-of-way. Not all utility poles are controlled or owned by the City of Raleigh. Because of a recent Supreme Court ruling, the content of the signs is considered governmental speech. As a result, the City must review the content of the banners located within the right-of-way.

Based on the discussion at the last Committee meeting, the following should be considered:

1. **Content.** Content on banners should be non-commercial. A small sponsorship logo could be permitted, but only on poles located in City of Raleigh right-of-way.
2. **Approvals.** The owner of the utility pole must provide approval. For NCDOT-owned poles, state standards must be satisfied. City staff can provide administrative review. If defined standards are met, staff could approve the request. At the last meeting, there was a suggestion that the Appearance Commission provide review and recommendation of the banners. Staff suggests that Appearance Commission involvement might slow the review process, based on the number of banners installed each year. Additionally, if the City creates sensible standards, the banner design should be inconsequential.
3. **Applicants.** The Committee discussed an allowance for non-profit organizations and Municipal Service Districts to submit requests for banners. This could include annually recurring banners installed across the right-of-way, such as the banner across Glenwood Avenue for the Oakwood candlelight tour. There was discussion of allowing the entity to submit an annual program that would identify all banner installations for one year. While this would expedite approvals, staff is unsure if this type of approval would be acceptable

to applicants. Some banners are installed for a limited duration. An annual review would require applicants to program the installations well in advance.

4. **Standards.** The Committee expressed a preference for banners fabricated from durable materials; standardized brackets for attachment; removal of brackets once banners are removed; banners that utilize wind-proof techniques. The previous resolutions adopted by City Council included a maximum width of 30 inches and a maximum height of 8 feet. This standard size should be considered.
5. **Enforcement.** While the more organized organizations may have the means to install and remove banners, smaller organizations might struggle. There was concern expressed that banners could remain in place in a deteriorated state if unchecked. Staff would need to rely on strong enforcement practices to prevent this activity. A surety bond held by the City could cure this issue; although this could serve as a barrier to the program. The current policy requires a \$750 deposit to cover an instance where banners are not removed in a timely manner. This deposit is returned once the applicant removes the banners.
6. **Fee.** There was some discussion related to annual fees for banners. There are some unanswered questions; staff believes the Committee supports a fee, although the fee structure is unknown. Committee members discussed an application fee, along with a “per-banner” fee. There was also discussion that absent surety bond, the fee for installation should include funds to cover the cost of removal. Staff suggests more discussion of this topic.